Remarks

Claims 1-23 remain pending in the Application. No new matter has been added.

Rejection under 102(e)

Claims 1-23

In the Office Action, the Examiner rejected Claims 1-23 under 35 USC 103(a) as being unpatentable over Bandera et al. (6332127) hereafter referred to as Bandera. Applicants have reviewed Bandera and respectfully states that Bandera does not teach or render obvious the present invention for the following rationale.

Applicants respectfully state that Claim 1 (Claims 7 and 15 recite similar features) include the features "A system for creating a link between a physical location and its web page, comprising:

a user interface that receives positional data related to a physical location of a receiver system;

a virtual beacon comprising an electronic file containing positional data and a web address related to a physical location having a web page;

an association module coupled to the user interface to create-a link between the positional data related to the physical location of the receiver system and the virtual beacon comprising the electronic file containing the positional data and the web address related to the physical location having the web page such that the receiver system near the physical location having the web page can receive the electronic file to access the web page without browsing, wherein the virtual beacon is not-a physical object." Support for the Claimed features can be found throughout the Specification including page 1 lines 15-26, page 5 lines 2-10, page 8 line 20-page 9 line 10, page 10 lines 8-20, etc. and Figures 2, 5, 8 etc.

Applicants respectfully disagree that Bandera teach or render obvious the features of Claims 1 and 15. The Examiner has stated that the DEE (column 4 lines 60-67) of Bandera is equivalent to the virtual beacon containing the URL to the web page. However, Applicants do not understand Bandera to teach or teach or render obvious that the DEE provides a link to a web page.

Applicants understand Bandera to teach that the web server is configured to dynamically generate a requested web page using the dynamic execution engine (DEE) and one or more web page content objects. The DEE defines the selection of content objects within the web page and the layout of those content objects within the web page when displayed within the web client. Applicants further understand Bandera to teach a plurality of programming languages and methods of performing the operation of dynamically generating a web page based on user location.

Therefore, since Applicants understand Bandera to teach a method of using the DEE to dynamically generate a web page, Applicants submit that Bandera does not teach or render obvious the features claimed herein of "creating a link between the positional data related to the physical location of the receiver system and the virtual beacon comprising the electronic file containing the positional data and the web address related to the physical location having the web page such that the receiver system near the physical location having the web page can receive the electronic file to access the web page without browsing, wherein the virtual beacon is not-a physical object. (emphasis added)

Thus, in contrast to Bandera, the web page Claimed herein is clearly defined in the specification as a previously established entity for the physical location. That is, the present invention claims the feature of linking a location to a web page as a virtual beacon. There is no need to dynamically build or modify the web page or make plurality of modifications to web pages based on a user's

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location. Instead, if the user is located near the web pages physical location, then the user will receive a link to the web page.

Thus, the providing of a link to a web page is significantly distinct from receiving a user location and generating a web page. For example, the teaching of Bandera requires a significant amount of work by tracking a user, searching for ads related to user location, and then providing info to the user on a newly built web page. Each step having a plurality of expenses and difficulties.

In contrast, the claimed features merely recognize a user's location and then provide a link to pre-established web pages. Thus, there is reduced management, significantly less computation between user receiving a link and user accessing the pre-established web page and user viewing/interacting with the web page. For this reason, Applicants respectfully submit that the feature "a virtual beacon comprising an electronic file containing positional data and a web address related to a physical location having a web page; an association module coupled to the user interface to create-a link between the positional data related to the physical location of the receiver system and the virtual beacon comprising the electronic file containing the positional data and the web address related to the physical location having the web page such that the receiver system near the physical location having the web page can receive the electronic file to access the web page without browsing, wherein the virtual beacon is not-a physical object" is not taught or rendered obvious over Bandera.

Therefore, Applicants respectfully submit that Bandera does not teach or render obvious the present claimed invention as recited in Claims 1, 7 and 15, and as such, Claims 1, 7 and 15 are in condition for allowance. Accordingly, Applicants also respectfully submit that Bandera does not teach or render obvious the present claimed invention as recited in Claims 2-6 which are dependent on an allowable Independent Claim 1, Claims 8-14 which are

dependent on an allowable Independent Claim 7 and Claims 16-23 which are dependent on an allowable Independent Claim 15 and that Claims 2-6, 8-14 and 16-23 recite further features of the present claimed invention. Therefore, Applicants respectfully state that Claims 2-6, 8-14 and 16-23 are allowable as pending from allowable base Claims.
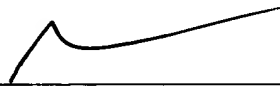
Conclusion

In light of the above amendments and remarks, Applicants respectfully request allowance of Claims 1-23.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,

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